

**REMARKS/ARGUMENTS:**

Reconsideration of the above identified application is respectfully requested.

In the Office action dated April 7, 2005, claims 1-8 are allowed. Claims 10-11 and 14-15 are objected to for depending on rejected claims, but would be allowable if rewritten in independent form. The Examiner is thanked for the allowance and pointing out the allowable subject matter. Claims 9, 12 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,594,398 to Marcou et al. (hereinafter "Marcou") in view of U.S. Patent No. 6,392,513 to Whipple et al. (hereinafter "Whipple") and U.S. Patent No. 4,851,951 to Foster, Jr. (hereinafter "Foster").

In response to the objection, Applicants have rewritten claims 10, 14 and 15 to independent form, incorporating all the limitations of claim 9. No new matter has been introduced.

Applicants also acknowledge safe receipt of the "Notice of References Cited" (form PTO-892).

With respect to the claim rejection, Applicants respectfully traverse the rejection for reasons set forth below:

***Election/Restrictions***

In the Office action, Applicants' election with traverse of Group 1, claims 1-8, is acknowledged; Groups I and II are rejoined; and the restriction requirement for Group III claims 16-20 is deemed proper and therefore made final. The Examiner is thanked for the rejoining of the claims in Groups I and II. In response to the election/restriction, Applicants have withdrawn claims 16-20.

Furthermore, Applicants expressly submit that Applicants reserve any right to file continuing application(s) directing to any of the non-elected subject matter or request a reunion of the non-elected claims with the elected claims upon allowance of the subject application.

***Claim rejections under 35 U.S.C. §103(a)***

Claims 9, 12 and 13 are rejected as being unpatentable over Marcou in view of Whipple and Foster.

Applicants respectfully traverse the rejection.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). Also the teaching or suggestions to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Applicants' claim 9 recites, *inter alia*, (a) a leakage test button, (b) a pair of locks coupled to the reset button, (c) an electromagnetic latch to latch onto the pair of locks, and (d) a reset button bias member comprising two central openings.

With respect to Marcou, it discloses a ground fault interrupter wiring device in the form of a duplex wall receptacle. The Examiner opines that Marcou has, *inter alia*, "a locking means [28b]..." and "a reset button bias member [82] ... having two opening [82a, 82a'] ... and a central opening [82] for the locking means." The Examiner further admits, and Applicants agree, that Marcou does not have the device providing arc fault protection, an arc fault test means and a pair of locking means. This further means that Marcou does not teach the claimed

electromagnetic latch which latches onto the pair of locks because Marcou does not teach the claimed pair of locks.

Also, contrary to the Examiner's allegation that 82a and 82a' are openings, they are in fact two integral posts (*See* Figure 11, 16-18, and 23, column 6, line 6) which are clearly shown in the figures that they extend out of the latch block 82 and can not be openings. Furthermore, Marcou's latch block 82 has only one opening 82b for the stem 28a (Figures 11 and 29, column 10, lines 46-49). Thus, Marcou also does not disclose the reset button bias member of the claimed invention which comprises two central openings.

Whipple is cited by the Examiner for its teachings of ground fault and arc fault detection circuits [27, 29] and the detectors [45, 49] and the common test button [9]. Nonetheless, Whipple does not teach the claimed pair of locks coupled to the reset button, the claimed electromagnetic latch to latch onto the pair of locks, nor the claimed reset button bias member comprising two central openings.

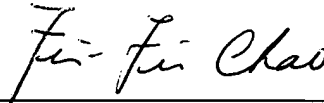
The Examiner further alleges that Foster teaches "a reset button including a pair of column shaped engagement members [Figure 2] cooperating with an electromagnetic latch [60]." However, upon careful review of Foster, only the lever arm 44 is cooperating with the armature 60 (*See* Figures 2, 4, and 5). Also, it is clear that Foster has only one lever arm (column 3, lines 12-68) which has a guide track 50 (column 3, lines 26-27). Thus, Foster does not teach any pair of locks or any pair of column-shaped directional locks; or the claimed electromagnetic latch which latches onto the pair of locks; or any reset button bias member comprising two central openings.

Because the combined teachings of Marcou, Whipple, and Foster fail to teach or suggest all the claim limitations of claim 9, and/ or its dependent claims 12 and 13, Applicants' claimed invention is not obvious over Marcou in view of Whipple and Foster.

In view of the foregoing, the objection and rejection have been overcome and the claims are in condition for allowance, early notice of which is requested. Should the application not be passed for issuance, the examiner is requested to contact the applicant's attorney to resolve the problem.

Respectfully submitted,

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